

## NEW YORK HERALD.

JAMES GORDON BENNETT,  
EDITOR AND PROPRIETOR.

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AMUSEMENTS THIS EVENING.

BROADWAY THEATRE, Broadway, near Broome street.—CLARENCE AND BROADWAY—OUT TO NERSE.

NEW YORK THEATRE, Broadway, opposite New York Hotel.—CINDERELLA.

THEATRE FRANCAIS, Fourteenth street, near Sixth avenue.—OPERA DE LYON.

DODWORTH'S HALL, 5th Street, near Broadway.—THE HEAD IN THE HAT.

RICHMOND'S ENGLISH OPERA COMPANY, Olympic theatre, Broadway.—DON PASQUALE.

SAN FRANCISCO MINSTRELS, 33 Broadway, opposite the Metropolitan Hotel.—THE ETHIOPIAN ENTERTAINERS.

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Benjamin F. Butler, in this city, may be taken to the United States Court for trial.

An appeal from a judgment made before the Supreme Court, General Term, yesterday, in regard to some bonds stolen from Wm. White in this city, in 1862. The defendant had received the bonds for negotiation in the course of trade; the thief has never been discovered, and the plaintiff seeks to recover the value of the bonds (\$5,000) from the defendant, Parks, who had effected their sale in other cities.

Philip Gailher, has been charged, before Commissioner Dute, with having illegally removed a quantity of whiskey from a distillery on William street before it had been inspected by the Collector of Internal Revenue. His examination will take place to-day.

Julius Calkins, master of the ship Energy, accused before Commissioner Osborn of cruel treatment towards one of the seamen, named Dryer, was discharged yesterday. John Mensch was brought before Commissioner White, charged with having committed perjury on the trial of a man named John Stewart, indicted in the Circuit Court on the 10th inst., for having sold counterfeit money. Some evidence having been taken, the examination was adjourned.

In the Marine Court yesterday, before Judge Gross and a jury, the case of August Basse vs. Adolphus Burgh—an action for alleged assault and battery—the jury rendered a verdict for the plaintiff for \$150, with \$25 extra allowance.

The stock market was dull and heavy yesterday. Gold was strong and excited, and after settling up to 137, closed at 135 1/2.

The upward turn in the gold premium yesterday caused quite a general reaction in commercial values, and nearly all kinds of merchandise and produce were held at former prices, though in many cases buyers did not respond, and the markets on the whole, though firmer, were quiet. An advance of about 1/2 c. was established on cotton. Sugar and coffee were very firm, but rather quiet. Petroleum firm, but quiet.

Naval stores quiet, but very steady. On Chicago flour was full of sale, but unchanged in value. Corn and oats steady, 7 1/2 c. firm, somewhat higher, beef and lard very firm, and butter and cheese rather quiet, but steady.

MISCELLANEOUS.

Our Valparaiso correspondent, under date of December 10, says the rumor of an alliance between Spain and Brazil was not credited. The news was current that the protest of Peru to Brazil against the secret alliance on the Plata river was to be returned by the Emperor without an answer. Our correspondent was inclined to think that Cape Horn was the destination of the allied Chilean and Peruvian fleets which had sailed from Valparaiso under Admiral Tucker. It was supposed to be the intention of the Spanish commanders to blockade the allied republics with their fleets, which were to be heavily reinforced. President Mosquera, of Colombia, had ordered the seizure of the arms and munitions in transit across the isthmus of Darien belonging to Peru. Mosquera is admitted as a today to the Spanish aristocracy, and the Valparaiso papers stigmatize Mr. Howard in the same terms.

Advice from Vera Cruz to the 10th inst. are received. Maximilian in the valley sick with the fever. Another detachment of French troops was to embark on the 12th inst. Secretary Seward has addressed a letter to Minister Romero disavowing the occupation of Matamoros by General Sedgwick on the part of the government. Mr. Romero had received official information of the occupation of Guadalupe and Aguascalientes by the liberal forces.

A report is being industriously circulated in New Orleans to the effect that General Sheridan has been in the habit of endorsing letters of marque issued by James to prey upon French commerce, and guaranteeing to the holders of them the right to fit out in New Orleans and bring their prizes into that port. The story has been circulated by the friends of the rebel Colonel Melton, who was arrested by Sheridan some time ago, as the leader of the Knights of Arabia. The Congressional committee is said to have found out the facts in their recent investigation of the riots.

In the Toronto trials yesterday John Rogan and William Baker were tried by a jury composed of Americans and Canadians equally, and found guilty, but were recommended to mercy. Daniel Quinn was found guilty and James Spalding was acquitted. An individual claiming to have been prison secretary to Jacob Thompson and Jeff Davis was in the jury box.

Mrs. Cockburn, the mother of the Solicitor General of Canada, was burned to death yesterday in Ontario, C. W., her clothes catching fire while she was standing in front of a grate.

The President has approved the bill postponing the payment of claims of loyal owners of colored volunteers. The Maine, Minnesota and West Virginia Legislatures have ratified the constitutional amendment. The Indiana Senate also ratified it yesterday.

An affair occurred in Cave Gulch, Montana Territory, on the 14th ult., in which four men were killed and several others wounded. Twelve of the survivors were arrested by the vigilance committee. Claim jumping was the origin of the fight.

A man named Chas. Page had a difficulty with his wife in Valparaiso, Ind., recently, when he shot and killed her, then murdered her mother, and finally beat an old man and his daughter to death with a poker. He is still at large.

The democratic members of the New Jersey Legislature held a caucus on Monday evening and nominated John P. Stockton for United States Senator.

Miss Mary J. Thompson, the daughter of a deceased liquor merchant of Cincinnati, and the mistress of a prominent builder of that city, named McGlaughlin, was beaten to death with a poker by her husband and his Thompson were on too intimate terms was the cause of the tragedy.

"Revolutions Never Go Backwards"—President Johnson's Impeachment Inevitable.—The Plan.

The revolution which was precipitated upon the country by the Southern rebellion of 1861 is not yet ended. The struggle is still going on with the old Southern oligarchy and their Northern democratic sympathizers, defeated in the war, and it will be carried through. The great Union movement of the war will run its course. The great issues settled by the war will be established in the government. They are under a momentum which cannot be resisted. All impediments which block the way will be removed. It is the law of all revolutions. This is only history repeating itself. So it is that no preordained event in human affairs is more certain to come to pass than the impeachment and removal of President Johnson from office. This thing will be done because it has become a necessity to the consummation of this revolution. Congress has no alternative when the suspension of its authority over the rebel States for two years yet to come is morally certain under President Johnson.

We are just now in the position of England after the war between the Parliament and King Charles the First, when, from his refuge among the Scots, he was delivered up to the Parliament by trial. There were at that time in the Parliamentary cause the independents and the Presbyterians, corresponding with our radicals and conservatives of the present day. We know, however, that Cromwell and his radicals achieved their grand design in the condemnation and beheading of the King, and that the Commonwealth was next established. This is one parallel to our present situation; and there is another equally striking in the history of the great French revolution. So far as his continuance in office is concerned the present position of Mr. Johnson is hardly better than that of Louis XVI, when in his attempted escape from the republican authorities he was captured at Varennes, one hundred and fifty miles from Paris, and brought back to trial, to condemnation, and at last to the guillotine, after some stormy debates between the Jacobins and Girondists, the radicals and conservatives of the convention. As it was with that convention so it is now with Congress—the radicals hold it, and the con-

servatives, to save themselves, will be compelled to go with the current, or politically they will fall like the Girondists. And why? Because such is the drift of this revolution, and it will run its course.

The House, as a grand jury, will impeach Andrew Johnson of certain "high crimes and misdemeanors," and the Senate, upon this indictment, as a high court, Chief Justice Chase presiding, will try him, condemn him and remove him. Before the close of the present Congress the impeachment will be made before the Senate, and with the new republican accessions to the body which will come in with the new Congress in March the Senate will proceed to business. The first step will be the election of a President of the body, who, under an existing law, will become President of the United States in the event of "the death, resignation, removal or disability" of Andrew Johnson. Senators Wade, Trumbull and Fessenden are each named as likely to secure this position; but, as Mr. Fessenden is intellectually and as a practical statesman the first man in the Senate, he will probably be chosen. Next, with the opening of his trial, President Johnson will be suspended as disabled, and the President of the Senate will be assigned pro tem. to his place. After Mr. Johnson's conviction this new Executive will hold his position until a President shall have been regularly elected by and returned from the people.

It is probable that with the removal of the present incumbent a call for a special election will be issued—any before the end of May—and that General Grant and Admiral Farragut will be the republican ticket. They will, if so placed before the people, be elected by acclamation, and in the meantime three-fourths of the loyal States now constituting the government of the United States, having ratified the pending constitutional amendment, it will before September next be proclaimed as part and parcel of the federal constitution to all intents and purposes. Then, having an Executive chosen upon this platform, he will apply it to the outside States as the supreme law, adopted without reducing them to the test of dishonor as they call it, of condemning themselves, their associates and their leaders in the rebellion, and leaving them free to choose whether they will give the suffrage to their negroes and count them in counting their people for Congress, or lose some twenty odd representatives by limiting the ballot box to the whites. Then the Supreme Court will be reconstructed from fresh materials; so that we shall have no more expositions of the law according to the constitution as it was before the deluge.

Thus the essential demands of this great revolution will be met, the government in all its parts will respond to the voice of the people as represented in Congress, and the States wrested from the late rebellion will be reconstructed and reinstated upon the pending constitutional amendment. The fire-eaters of the South and their allies of the North will be thrown out and will disappear with the dead issues of the past; the rump of the old democratic party will be buried with the old whig party, and the political parties of the country will be reorganized upon the new issues of the new epoch which will begin to dawn upon the country with the removal of President Johnson.

The Law of Impeachment.

The law of impeachments depends upon the provisions of the constitution of the United States and upon the principles and practices of England so far as the latter do not conflict with those of our republic. It may be well to cite the provisions of the constitution on this subject. Section three of the first article declares that the House of Representatives shall have the sole power of impeachment. The same section declares also that the Senate shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation. When the President of the United States is tried the Chief Justice shall preside, and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust or profit under the United States. But the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment according to law. Section four of the second article declares that the President, Vice President and all civil officers of the United States shall be removed from office on impeachment for and conviction of treason, bribery or other high crimes and misdemeanors. Section two of the third article provides that the trial of crimes, except in cases of impeachment, shall be by jury. A sketch of English principles and practices on the subject of impeachment is given in the Manual prepared for the use of the New York Legislature for the year 1865.

One fact stated in this sketch is that an impeachment is not discontinued by the dissolution of Parliament, but may be resumed by the new Parliament. And this may be quoted as a precedent if it shall appear necessary to impeach President Johnson previous to the meeting of the next Congress, on the 4th of March.

Impeachments in this country, with perhaps the single exception of the impeachment of Senator Blount, of Tennessee, have been those of judges. The President, however, as well as the Vice President and all civil officers of the United States, is constitutionally liable to impeachment. In England, on the contrary, this liability reaches no higher than to the Ministers of the Crown, not to the monarch, whose person is sacred. The precedents, then, which rule in the case of a British Minister can be observed, so far as applicable, in the impeachment of our chief executive. It is clear, for instance, that British Ministers have been impeached and tried not only for treason and bribery and other high crimes, but also for misdemeanors; and among the latter have been counted maladministration of public affairs, abuse of great offices of trust, and even such errors in judgment as have led to measures contrary to the will and welfare of the nation. Blunders have been condemned as political crimes, and in fact, their consequences have often proved fatal. If the noble Earl of Stafford could be impeached for being suspected of intentions to subvert the fundamental laws of the realm, the Duke of Suffolk for neglect of duty as an ambassador, and the Earl of Bristol for giving counsel against a war with Spain in disregard of the wishes, the sense of honor and the interests of the English people, why, it is

asked, may not the vetoes of President Andrew Johnson, in contravention of the popular will as expressed by the majority of the Congressional representatives of the American people, his indiscriminate exercise of the pardoning power, and the counsel, or at least encouragement, which he is alleged to have given the South to reject the constitutional amendment—why may not these and other similar acts of his be construed into "misdemeanors" that render him liable to impeachment and, on conviction, to removal from office?

On whatever grounds the impeachment of the President may be opposed it is idle to oppose it, as some of our contemporaries foolishly do, simply because, as one of them intimates, Mr. Johnson's term of office will expire within two years, or worse still, because, according to another, London and Paris journalists—most of whom are still proverbially ignorant of American affairs—"look upon the contemplated impeachment as a perilous proceeding." The journal which urges this silly objection talks wildly, too, when it adds it has "no doubt that it persisted in our bonds now in Europe will be flowing back upon us in millions." It forgets that whatever ignorance the foreign press may betray on this point, yet, thanks to the intimate social and business relations of immigrants to the United States with their friends in the old countries, the holders of American securities abroad appreciate them too highly and are too fully enlightened as to the practical working of American ideas, the character of our people, the prodigious resources of our vast territory and the real strength of our government to be alarmed by the success or the failure of any party and temporary movement. They know that the manifest destiny of the American nation depends upon the fate of no single citizen, be he private individual or President.

Thad Stevens, Simon Cameron and Governor Geary on the Political Situation.

We published yesterday the remarks of three prominent public men on the political issues of the day. All three were Pennsylvanians, and they spoke on different and important public occasions. Stevens spoke in the House of Representatives on the bill to admit Nebraska, on which the broad question of what constitutes a republican form of government was discussed. Cameron made an address at Harrisburg, on being elected United States Senator, and Governor Geary, on taking his office, delivered his inaugural speech. There was a remarkable unanimity in the views expressed and tone of these addresses. All were decided in requiring constitutional guarantees before the rebel States should be received back to a full participation in the government. All maintained that there could be no true republican government where a large portion of the inhabitants (meaning the negroes of the South) are excluded from the suffrage. It is clear, then, that the leading men of Pennsylvania are in accord on the questions of the constitutional amendment, the reorganization of the Southern States and on giving the suffrage to the negroes. We have no doubt they express the views also of the statesmen and people of the other loyal States.

General Cameron made a characteristic speech in returning thanks for the honor of being chosen United States Senator. He said he should not forget his friends and would forgive his enemies. It is known that he has always been true to his friends, and we believe he will continue to be so. But has he not degenerated from the haughty and stern character of his ancestors, the Camerons of Lochiel, when he says he will forgive his enemies? It is said of one of them that when he was confessing to the priest on his dying bed, and was told that he must forgive all his enemies before he could be waited to heaven, he replied that he would forgive all but one, whom he named, one particular enemy who lived over the mountain. The priest being inexorable in enforcing this necessary condition to salvation, and the old Highlander perceiving he could not get over it, at last consented to be forgiving himself, but at the same time exclaimed with an oath that his son should never forgive.

Abund Ideas of the Impeachment Movement.

The European papers soon to be altogether in the dark upon the question of President Johnson's impeachment. The London Times in particular efforts to be grievously distressed lest the impeachment should demolish the constitution and government of the United States. Some newspapers at home, who ought to take a more intelligent view of the subject, talk pretty much in the same absurd way. Now, the fact of the matter is that there will be very little trouble about it, and it will not turn the country from the even tenor of its way. The President, we may assume, will be impeached and removed; General Grant and Admiral Farragut will probably be elected after a short lapse of time to the offices of President and Vice President, Mr. Johnson will soon be forgotten, and the affairs of the country will go on in their accustomed channels, prospering and to prosper.

The English press foresaw in the late rebellion the downfall of our government and institutions, because, perhaps, the wish was father to the thought; and they were greatly astonished to find that we put down the rebellion and preserved the government. But they will be more astonished at the result of this impeachment business; for it will not in the least affect or imperil our institutions. It is a curious and entirely novel episode in our history, it is true, though not without precedent in France and England; but it will come, go and be forgotten without impeding the prosperity of the country.

THE WESTERN UNION TELEGRAPH MONOPOLY.

The official statement of the Western Union Telegraph Company shows that the gross receipts for the single month of November reached five hundred and seventy-one thousand dollars, the net earnings out of which amounted to nearly a quarter of a million. These enormous profits are secured by the heavy rates charged upon messages, the company having shut out competition by buying up all opposing lines. The press, which enforces more than private individuals through this monopoly, will probably before long construct independent telegraph lines for newspaper business, by which a saving of fifty to seventy-five per cent in the cost of reports can be made. These lines will be opened for the transaction of private business as far as practicable, and as they will convey messages at the lowest possible rates, they will destroy the present monopoly and insure better attention and more reasonable charges to the public.

## A Railroad Fight.

The difficulties between President Vanderbilt, of the Hudson River and Harlem roads, and the new directors of the New York Central have resulted in an open war, which, from the characteristics of the men engaged in it, promises to be carried on with unusual bitterness. The announcement is made that the Hudson River Railroad Company will, after to-day, only sell tickets and check baggage over their own road, and will only recognize tickets sold at their own offices and by their own agents. The meaning of this is that persons travelling West over the New York Central road will be carried only to East Albany by the Hudson River Company, and will there be compelled to change cars and have their baggage rechecked to their destinations. The same rule extends to freight shipped over the road. President Vanderbilt puts the termination of previously existing arrangements between the connecting roads upon the directors of the New York Central, while they, on their part, claim that those arrangements were unjust to the stockholders of their road, and that the demands of Vanderbilt were out of the bounds of reason and justice. However this may be, the public have an interest in this matter that should not be overlooked in these railroad squabbles. The Hudson River and Harlem roads are in winter time the only termini of the New York Central, and they are both under one management. It is not right that the people, who grant the charters to these companies, should be made the sufferers by the quarrels of unfriendly boards of directors. If the difficulties cannot be adjusted the Legislature should step in and see what can be done by legislation to remedy the evil. The present quarrel shows the necessity for the speedy construction of a road on the west side of the Hudson, connecting with the Schenectady and Athens road, and making an unbroken line over the Central to the West. Such a road is demanded for the convenience of shippers as well as travellers. The great trouble with the Hudson River and Harlem roads is the lack of sufficient freight houses and docks for the reception of freight. With a road terminating at Hoboken or Jersey City this want would be supplied, as all the dockage could be obtained that might be needed for the accommodation of freight. It would take but a short time and a comparatively small amount of capital to build and equip such a road.

## AN ASCENDING PROPOSITION.

Mr. Sherman, of Ohio, presented a petition in the Senate on Tuesday asking Congress to prohibit any person added to the list of intoxicating liquors from holding office under the United States government. This is the first proposition yet made for the total abolition of the government. If this law were to pass it would be equivalent to disqualification; for we would not have a soul to administer or execute the functions of government; and on this ground we are most decidedly against Mr. Sherman's proposal.

## THE EXCISE LAW AND THE LIQUOR DEALERS.

It is rumored that the Liquor Dealers' Association have resolved to send half a million of dollars to Albany to secure the repeal of the Metropolitan District Excise law, which has just been declared constitutional by the Court of Appeals. We have no doubt that this argument will prove efficacious with our legislators. They ought also to send one hundred bottles of old proof Bourbon to each member, and especially to those who profess to be temperance men. The law is faulty in many respects, and with or without these considerations, should either be materially modified or unconditionally repealed.

## CONGRESSION.—Congressman Raymond made his first speech in the House of Representatives on Tuesday last, on the bill for the admission of Nebraska as a State in the Union. He declared himself in favor of Boutwell's amendment, which was adopted, and of all the principles embodied in the measure, and announced his intention of voting against the bill.

## THE EXCISE LAW.

The following named liquor dealers were arrested yesterday by the police of the Western district for violations of the Excise law, and their cases were disposed of by the police justices yesterday.—James Reiter, Patrick Quigley, James McGuire and James Kierman, arrested by the Forty-third precinct police; and John W. Warner, James Holland, Joseph of Fort, arrested by the Twentieth street, and John Williams, owner of Fifth Avenue, and Twenty-third street, fined \$300 each. John Warner, 400 Atlantic street, arrested by the Forty-third precinct police on Monday night, came up for examination before Justice McGuire. Warner demanded a trial by jury, and was committed to the station house, corner of Chambers and Van Brunt streets, until \$200.

August Knapp, proprietor of a restaurant and liquor saloon in Franklin street, Greenwich village, was arrested before Justice Day and a jury, under the fourteenth section of the Excise law. It appeared in evidence that the defendant was arrested on Sunday morning last, on a charge of not having his saloon effectively closed according to law. It was proved on the part of the defence that the saloon was closed on that day as a dining room for regular boarders, and that no liquor was exposed for public sale and none were sold. After a brief consultation the jury acquitted the prisoner.

Samuel Mills, a liquor dealer at Greenwich, was arrested before the same justice, charged with opening his place to business on Monday morning before day, contrary to the law. The defendant pleaded guilty to the charge, but was released by Superintendent Kennedy's order postponing the enforcement of the law until the next day. This order, which appeared in the Herald, was handed to the justice, and after reading it his Honor decided that it was calculated to mislead anybody, therefore suspended judgment in the case of the defendant.

## Meeting of the Brooklyn Liquor Dealers.

A meeting of the Brooklyn liquor dealers was held last night at the rooms of Jarvis A. Fishman, No. 565 Fulton street. The object of the meeting was to take measures to effect the passage of the amendment by the Legislature to the present Excise law. It was contended by some of the liquor dealers that the law itself was not only harsh and oppressive but its administration by Superintendent Kennedy made it still more obnoxious. It was believed there would be little or no difficulty in having many (estimated by the law) to be taken into consideration in the Legislature. The fact that a number of lawyers have been admitted to practice under the recent decision of the Supreme Court. The Legislature will meet on Monday and Tuesday. It is generally believed that a State convention will be called to frame a constitution, whereupon the people will have another opportunity of expressing their opinion on the subject. It is claimed this will settle all difficulties growing out of the pretended State convention of 1864 to legislate for the State.

## Among the passengers on the Concordia, which arrived to-day, is Mr. Lane, United States Consul at Vera Cruz.